

Remarks/Arguments

Claims 1 to 21 are rejected under 35 U.S.C. 103(a) as being obvious in view of James et al (US 6,108,739) and Lynch (US 6,931,430).

Current Claim 1 reads as follows. The arguments provided below apply also to claim 18.

“ 1. Process for programming actions of resources in a network of domestic devices, including the steps of:

- sending a request for programming an action by a client application to a manager of preprogrammed actions of a device of the network, the programming request including a set of parameters defining the action including a time indication and a list of resources involved in accomplishing the action,*
- verification by the actions manager that the resources involved in accomplishing the action will be available at a time when the action is to be carried out as specified by the time indication,*
- transmission to the client application of a message of acceptance or of refusal of the programming of the action on the part of the preprogrammed actions manager depending on the result of the verification.”*

As discussed previously, Applicants submit that Lynch fails to disclose, suggest or teach the limitation '*verification by the actions manager that the resources involved in accomplishing the action will be available at the time when the action is to be carried out as specified by the time indication*'.

In the 'Response to Arguments' section of the present office action, the Examiner states:

“It is taught by Lynch to determine when the connection between the laptop computer and the other computer becomes available in order to further send information between the two mediums.

Furthermore, as described in Column 9 lines 12-20 a time indication is present wherein the data and transfer of data is determined based on a timing of when the transmission should be severed and thereby meets the claimed limitation. In this case the ‘time indication’ is the timer as described in Column 9 Lines 12-20 and the ‘action to be carried out’ is the transmission between the mediums”.

Applicant respectfully disagrees with the Examiner's interpretation of Lynch.

Lynch describes a 'symbiotic relationship' between devices connected to a network aiming at maintaining synchronization between 'resources' over several devices. When a resource is changed on one device, 'actions' are sent to the other devices in

the symbiotic relationship. These actions are converted to commands to appropriately change the resource in these other devices. See e.g. Col. 6 lines 16-28.

The excerpt of Lynch cited by the Examiner makes reference to the 'recovery techniques' described more broadly from Col. 8, line 42 to Col. 9 line 19. Assuming a device becomes unavailable, any actions it produces will not be transmitted to its symbiotic partners and any actions produced by the partners cannot be received (Col. 8, lines 60-65). According to the first paragraph of Col. 9, a first recovery technique then consists in buffering the actions until the device is again available on the network. When the unavailability of the device becomes known, a timer is set that, when it expires, causes the symbiotic relationship to be severed (Col. 9, lines 12 to 19).

It appears that it is this timer that the examiner calls 'a timing indication'. However, in the claimed invention, the time indication of the claim is included as part of the parameters of the request for programming the action, i.e. it is part of the data sent to the preprogrammed actions manager.

In Lynch, the timer is just a timer in a device, used in making a decision whether a relationship with another device should be severed or not. Lynch does not teach or suggest that an indication is included in any request sent for programming an action.

Moreover, the claimed invention calls for the time indication to indicate **when the action** is to be carried out, and for verification by the actions manager that the resources involved in accomplishing the action will be available at a time when the action is to be carried. The timer of Lynch mentioned by the examiner has nothing to do with indicating when the action is to be carried out, and does not suggest using that timer for verification purposes related to the actions.

As a consequence Applicants respectfully submit that Lynch does not provide the teaching suggested by the Examiner.

Conclusion

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicants' attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicants' Deposit Account No. **07-0832**.

Respectfully submitted,
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